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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,241	08/28/2001	Kevin Murphy	KMURPH-007XX	5269

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EXAMINER

LIANG, REGINA

ART UNIT PAPER NUMBER

2674

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/941,241	Applicant(s) MURPHY, KEVIN	
	Examiner Regina Liang	Art Unit 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-29 is/are allowed.
- 6) ☒ Claim(s) 1,4,5,11-13 and 19 is/are rejected.
- 7) ☒ Claim(s) 2,3,6-10 and 14-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4, 5, 11-13, 19 are rejected under 35 U.S.C. 102(e) as being anticipated by King-DeBaun (US. PAT. NO. 6,285,299).

As to claim 1, King-DeBaun discloses a keyboard cover (keycap) for a computer keyboard, the keyboard having a plurality of keys (see Fig. 1 and 2). Figs. 2 and 3 of King-DeBaun teaches the cover (13 in Fig. 2, 18 in Fig. 3) having at least one engagement member (16 shown in Fig. 2, the front and the back side portions as shown in Fig. 3) removably engaging the cover to the keyboard, a first support structure (plates 14 in Fig. 2, the top surface of the cover shown in Fig. 3) having a first and a second surface and being disposed above the top surface of the engagement member. Figs. 2 and 3 of King-DeBaun also shows the first support structure being larger than at least one of the plurality of keys and adapted to display a plurality of indicia (15).

As to claims 4 and 5, King-DeBaun discloses at least one attachment member for removably attaching an overlay containing the plurality of indicia to the first surface of the first

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support structure, wherein the attachment member including hook, or loop fastener (see col. 4, lines 8-24).

As to claims 11 and 19, King-DeBaun teaches the cover includes front and back side portions having fasteners 17 that removably engage the keyboard (this corresponds to at least two of the engagement members that removably engage at least two of the keys).

As to claims 12 and 13, King-DeBaun discloses at least one attachment member for removably attaching an overlay proximate to the first surface of the first support structure, and the attachment member including hook, or loop fastener (col. 4, lines 8-24).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amro et al (US. PAT. NO. 5,757,292 hereinafter Amro) in view of Murphy (US. PAT. NO. 6,059,575).

As to claim 1, Amro discloses as keyboard cap extension device for use with a keyboard having a plurality of keys (72). Figs. 3, 4 of Amro shows the keycap (78) having one engagement member (76) for removably engaging the keycap to at least one of the keys, a first support structure (74 shown in Fig. 4) having a first and a second surface and being disposed above a top surface of the engagement member, and the first support structure (74) being larger

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than the at least one of the keys. Amro does not disclose the first support structure adapted to display a plurality of indicia. However, Figs. 1 of Murphy teaches a tactile recognizable region 18 (keycap), such as a Braille character, is disposed on each of activation keys 14. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the keycap of Amro have a plurality of indicia as taught by Murphy so as to provide a tactile recognition teaching and communication system for use by a visually impaired individual, and more particularly, to a tactile recognition input device and a tactile recognition overlay for use with an existing input device.

Allowable Subject Matter

5. Claims 2, 3, 6-10, 14-18 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 20-29 are allowed.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hepner (US. PAT. NO. 3,648,394) teaches a keytop structure.

Murphy (US. PAT. Nos. 5,536,170 and 6,357,940) teaches interchangeable keytop.


Sullivan (US. PAT. NO. 5,514,855) teaches a computer keyboard cover.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Regina Liang whose telephone number is (703) 305-4719. The examiner can normally be reached on Monday-Friday from 9AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



REGINA LIANG
PRIMARY EXAMINER
ART UNIT 2674

RL
9/17/04